S.B. Civil Writ Petition NO.1050/2005

Nand Kishore Pareek

vs

Ashok & Ors.

DATE OF ORDER : - 1.4.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.C.P.Soni, for the petitioner.

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Heard learned counsel for the petitioner. Perused the impugned order by which the appellate court passed the interim injunction order against the petitioner by allowing the appeal of the respondents.

After going through the facts as mentioned in the impugned order, this court is not inclined to re-assess and appreciate all the factual aspects of the matter while exercising jurisdiction under Article 227 of the Constitution of India particularly, in view of the additional fact that by the impugned order, the only interim arrangement has been made and the petitioner has not been restrained from raising construction alltogether.

In view of the above, I do not find any merit in this writ petition and the same is hereby dismissed. However, the trial court is requested

to decide the suits expeditiously.

(Prakash Tatia), J.

c.p.goyal/-